

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

RICHARD LOWERY,

Plaintiff,

v.

LILLIAN MILLS, in her official capacity as Dean of the McCombs School of Business at the University of Texas at Austin; ETHAN BURRIS, in his official capacity as Senior Associate Dean for Academic Affairs of the McCombs School of Business at the University of Texas-Austin; and SHERIDAN TITMAN, in his official capacity as Finance Department Chair for the McCombs School of Business at the University of Texas-Austin,

Defendants.

Case No. 1:23-cv-129-LY

DECLARATION OF RICHARD LOWERY
IN SUPPORT OF MOTION FOR EXPEDITED DISCOVERY

I, Richard Lowery, declare the following:

1. I am an adult and competent to make this declaration. Its content is based on my personal knowledge or what Sheridan Titman or Carlos Carvalho told me.
2. Sometime in late August or September 2022, Sheridan Titman told me that Jay Hartzell had asked Sheridan if something could be done about my public statements criticizing Hartzell. I don't recall the exact words that Sheridan used,

but it was clear that Sheridan was conveying that Hartzell was not happy with what I had been saying and wanted something done about it. Sheridan did not tell me when Hartzell had contacted him.

3. I also recall Sheridan Titman telling me in the same conversation that Sheridan told Hartzell that nothing could be done about my speech. I appreciated that Sheridan had declined to take action against me at that time, but I also interpreted as a confirmation that Jay Hartzell was unhappy with me and my public statements about him and that Hartzell had asked others to deal with me and my speech.

4. In the past, Sheridan Titman told me that he sometimes exchanged text messages with Jay Hartzell about UT business, but I do not recall the exact date when he told me this. Probably it was in 2021 when the Liberty Institute controversy was flaring up. Sheridan did tell me that "Jay" was not as responsive to his texts as in the past.

5. Carlos Carvalho has also told me that he and Jay Hartzell regularly texted about UT business before the Liberty Institute controversy arose.

6. I have not personally dealt with Nancy Brazzil, who is Deputy to the President, but during the Liberty Institute controversy in 2021 Carlos told me repeatedly that Jay Hartzell sent Brazzil to deal with Carlos and convey that the President was unhappy with what we were saying about the whole project.

7. Based on that information, I have inferred that Ms. Brazzil's job is to handle problems for Jay Hartzell and he may have consulted with her or used her as an intermediary in his campaign to silence me.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this date, March 16, 2023.



A handwritten signature in black ink, appearing to read "R. Lowery". It is written in a cursive style with a horizontal line underneath it.

Richard Lowery